
Appeal Decision

Site visit made on 5 December 2016

by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 January 2017

Appeal Ref: APP/F2605/W/16/3157326

2 Middlemarch Road, Dereham, Norfolk NR19 1EQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms C Sutton against the decision of Breckland District Council.
 - The application Ref 3PL/2016/0630/F, dated 18 May 2016, was refused by notice dated 5 August 2016.
 - The development proposed is the erection of a detached dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area and on the living conditions of the future occupiers of the development and the occupiers of 2 Middlemarch Road.

Reasons

Character and appearance

3. The appeal site is located in a built up area with a variety of differing building heights and styles in the vicinity of the site. However, the area is generally characterised by frontage development with gardens to the rear.
 4. The appeal development is located to the front of 2 Middlemarch Road and would result in a tandem form of development which would be in contrast to the prevailing pattern of development on Middlemarch Road and the surrounding area. Whilst there would be views of No 2 between the proposed dwelling and the one currently under construction, given the scale of frontage development relative to No 2, the proposal would result in an unsatisfactory relationship between the respective properties.
 5. Furthermore, this unsatisfactory relationship is exacerbated by the 'L' shape of the garden area which allows for sufficient parking spaces for No 2. The net result in a development that would appear as a cramped form of development which would be detrimental to the character and appearance of the area.
 6. For the above reasons, I conclude that the dwelling would lead to unacceptable harm to the character and appearance of the area contrary to Policies DC1 and DC16 of the Breckland Core Strategy and Development Control Policies Development Plan Document 2001-2026 (2009) (CS) which amongst other things seek to protect the character and appearance of the area. The proposal
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would also be at odds with the National Planning Policy Framework (the Framework) which seeks to secure good design.

Living conditions

7. The proposed dwelling would be sited in the region of 9.5 metres in front of No 2, with the area in between being utilised for parking for No 2 and part of the rear garden area for the new dwelling.
8. Given the proximity of No 2, the garden area and the kitchen for the proposed dwelling would be overlooked from the first floor window of the existing property as a result of the cramped relationship between the existing and proposed dwellings. Furthermore, the occupiers of No 2 would look directly out onto the rear elevation of the proposed dwelling and in particular a large roof slope which would adversely affect the outlook from that property.
9. Whilst vehicles associated with No 2 would have some impact to the amenity of the occupiers of the future dwelling, given the location of the kitchen, living and main bedroom on the opposite side of the dwelling to the access driveway I do not consider that it would result in an unacceptable level of disturbance. However, this does not outweigh the harm I have already identified.
10. For the above reasons, given the cramped relationship between 2 Middlemarch Road and the proposed dwelling I conclude that the proposal would result in poor living conditions for the future occupiers of the development as a result of overlooking. Additionally, the proposal dwelling would also harm the outlook from habitable rooms of 2 Middlemarch Road. Therefore the proposal would conflict with the provisions of Policy DC1 of the CS which amongst other things seek to protect the amenity of the occupiers of existing residential properties and provide for a suitable level of amenity for future occupiers of the development. The proposal would also be at odds with the Framework which has similar underlying aims.

Other matters

11. I have also had regard to the highway safety implications of the development given the bend in the road and the parking arrangements. I note that Norfolk County Council, as highway authority, has recognised that visibility would be improved to the access as a result of the development. Given that the proposed dwelling and No 2 would both have two parking spaces each, I consider that there is adequate parking provision made within the site for both the existing and proposed development. Consequently, the development would not give rise to any significant highway safety concerns.

Conclusions

12. Taking all matters into consideration, including some local support for the proposal, I conclude that the appeal should be dismissed.

Chris Forrett

INSPECTOR